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Electronic Filing

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: ***Ex Parte*** in WC Docket No. 07-38, Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol Subscribership

Dear Ms. Dortch:

On March 7, 2008, Jennie Chandra, Director - Federal Regulatory Affairs, and I met with Kirk Burgee, Chief of Staff - Wireline Competition Bureau, to discuss the various broadband data collection proposals before the Commission in the above-referenced docket. Our discussion of the disadvantages of changing to a 9-digit ZIP code reporting method was consistent with the attached, which we presented to Mr. Burgee. We stated Windstream's position that the Commission should enhance the current system of reporting at the 5-digit ZIP code level rather than move to 9-digit ZIP code-based reporting. We also explained that if the Commission desired to move from 5-digit ZIP codes to an alternative reporting system, census tracts are preferable to 9-digit ZIP codes for Form 477 reporting. We also strongly urged that the Commission limit any new reporting to *subscribership* data, since *availability* data reporting likely would impose significant burdens on carriers, including Windstream, and ultimately may produce less useful information than subscribership data. Also attached are excerpts from two U.S. Census Bureau webpages explaining the differences between ZIP code-based and Census-based information, as well as a comparison chart prepared by Windstream summarizing the elements of pending House and Senate legislation on broadband data reporting, which were also provided to Mr. Burgee.

Please feel free to contact me if you require additional information.

Sincerely,

/s/

Eric N. Einhorn

cc (by e-mail): Kirk Burgee

Attachments

ANALYSIS OF POTENTIAL FORM 477 REPORTING UNITS

- **A number of parties have proposed a variety of different reporting units in the form 477 proceeding. There is substantial variation in the granularity of the data that would be reported under these various proposals:**

Geographic Unit	*Total # of Units in the U.S.*	*Average # of Households/Unit*
5-digit ZIP Code	~41,000[1]	~2,200 households/5-digit ZIP
Census Tract	~61,000	~1,300 households/Census Tract
9-digit ZIP Code	~30 million	~5-10 households/9-digit ZIP

Source: Claritas (referencing Tele Atlas data 15.0 release, 2000 U.S. Census data, current U.S. Postal Service data)

- **Requiring use of 9-digit ZIP codes would impose new costs without any significant new benefits.**

(1) Collecting, reporting, and analyzing data collected on a 9-digit ZIP code basis will be unwieldy for companies and government officials.

(2) Use of 9-digit ZIP codes may reveal individually identifiable customer information.

(3) 9-digit ZIP codes cannot be directly correlated with U.S. Census demographic information on age, gender, race, education, and income.

(4) 9-digit ZIP codes are not stable reporting units. The U.S. Postal Service updates its list of 9-digit ZIP codes each month.

(5) 9-digit ZIP codes are not and never have been spatial entities. 9-digit ZIP codes are simply categories for grouping mailing addresses. For example, a 9-digit ZIP code may merely designate a single apartment building, an individual high-volume receiver of mail, or an isolated post office box.

[1] Approximately 10,000 of these are point ZIPs or non-spatial ZIPs (e.g., P.O. boxes).

In the past, the Census Bureau produced the 1990 Gazetteer ZIP Code file and a 1999 ZIP Code file. These files were produced as byproducts of Census Bureau internal operations. They were not developed as a formal product. However, the Census Bureau has made them available to the public **"as is"**. There will be **no updated versions** of these files.

The Census Bureau will not be producing data files containing U.S. Postal Service ZIP Codes either as part of the Census 2000 product series or as a post Census 2000 product. However, due to the public's interest in having statistics tabulated by ZIP Code, the Census Bureau has created a new statistical area called the ZIP Code Tabulation Area (ZCTA) for Census 2000. The ZCTAs were designed to overcome the operational difficulties of creating a well-defined ZIP Code area by using Census blocks (and the addresses found in them) as the basis for the ZCTAs. For more information on the ZCTA delineation product and ZCTA-based products visit the ZCTA™ Web page.

* **There is no correlation between U.S. Postal Service ZIP Codes and U.S. Census Bureau geography**. This is because individual U.S. Postal Service ZIP Codes can cross state, place, county, census tract, block group and census block boundaries (just to name a few). The geographic entities the Census Bureau uses to tabulate data by are relatively stable over time. For instance, census tracts are only defined every ten years. In contrast, U.S. Postal Service ZIP Codes are designed to meet the day-to-day operational needs of the U.S. Postal Service and tend to change more frequently than every ten years. Because of the ill-defined nature of ZIP Code boundaries, the Census Bureau does not have a file (crosswalk) showing the relationship between U.S. Census Bureau geography and U.S. Postal Service ZIP Codes.

ZIP Codes and Metropolitan Statistical Areas. We do not have any file that will relate Metropolitan Statistical Areas to U.S. Postal Service ZIP Codes.

ZIP Code Corrections. We cannot make ZIP Code corrections to our data sets based on e-mail messages. We can use only information that we receive through our cooperative operations with the U.S. Postal Service.

Further, **the Census Bureau does not offer "crosswalk" or "relationship" files that associate U.S. Postal Service ZIP Codes to any legal and statistical census geography.** For the most accurate and up-to-date ZIP Code data, we suggest contacting the source for ZIP Code information: the United States Postal Service. Again, for more definitive information on U.S. Postal Service ZIP Codes, contact the U.S. Postal Service.

- **Special Research Requests**

7. **Is there a corresponding ZCTA for every for every United States Postal Service ZIP Code?**
Based on the January 2000 list of ZIP Codes from the USPS's Delivery Type File, the ZCTA delineation process excluded 10,068 ZIP Codes in the United States and Puerto Rico (not counting overseas military ZIP Codes). These included 2,523 ZIP Codes that served specific companies or organizations with high volumes of mail and 6,419 ZIP Codes dedicated to Post Office (PO) Box and/or general delivery addresses primarily located in areas otherwise served by rural route or city style mail delivery. The remainder represents ZIP Codes that were either inactive or insufficiently represented in the MAF and therefore did not become ZCTAs.

New ZIP Codes created by the USPS since January 2000 will not have a corresponding Census 2000 ZCTA. The 2003 TIGER/Line® Files will contain updated ZCTAs which (while maintaining the restrictions mentioned above) will correspond to the October, 2002 list of ZIP Codes from the USPS's Delivery Type File.
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8. **Is there an equivalency or comparability data product that shows the relationship between Census 2000 ZCTAs™ (ZIP Code Tabulation Areas) and USPS 2000 ZIP Codes?**
The Census Bureau is not planning to produce a 2000 ZIP Code to 2000 ZCTA relationship file. We created the ZCTAs specifically to address the inadequacies of ZIP Codes for census data tabulation.

For those who may want to do this, the TIGER/Line® files will continue to show address ranges with mailing ZIP Codes. These files can be processed using a GIS to compare the ZCTA code for a block to the mailing ZIP Code associated with the address ranges on each block side. Such a comparison can provide a general idea of how the two relate.

The relationship between ZIP Code and ZCTA can be determined fully only by comparing individual block-geocoded addresses to the ZCTAs. This process is quite involved. Some examples of why the process can become quite involved are as follows: ZCTAs follow census block boundaries. In contrast, USPS ZIP Codes serve addresses with no correlation to census block boundaries; therefore, the area covered by a ZCTA may include mailing addresses associated with ZIP Codes that are not the same as the ZCTA.

A ZCTA may include a mailing address with a unique or PO Box ZIP Code that is ineligible to become a ZCTA. Addresses with PO Box ZIP Codes generally cluster around a post office, but they may be widely scattered across several ZCTAs. Consequently, the relationships that exist between ZCTAs and ZIP Codes can become quite complicated, so that within the boundaries of a single ZCTA there may exist several ZIP Codes; likewise, within the boundaries of a single ZIP Code, there may exist more than one ZCTA.

Some addresses included in the census and used to define ZCTAs (typically in rural areas) have incomplete or, in some cases, no mailing ZIP Code, thus making it difficult to determine the full extent of the relationships between ZCTAs and ZIP Codes.
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9. **Why are there ZCTAs for some dedicated PO Box ZIP Codes and not for others?**
Dedicated PO Box ZIP Codes present a special challenge for ZCTA delineation. While addresses with these ZIP Codes generally cluster around a post office, they may also

REPORTING OF RESIDENTIAL BROADBAND SUBSCRIBERSHIP

Current Form 477	
Presence of Subscribers	By 5-digit ZIP code -- List of ZIP codes where the broadband provider has any broadband subscribers By state -- Actual number of connections to end users and estimated percentage of those connections that are provided to premises primarily designed for residential use
Speed	By state -- Estimated percentage of connections that carry information at transfer rates within 5 different speed tiers
Type of Technology	By 5-digit ZIP code -- List of ZIP codes where use specified technologies By state -- Actual number of connections using specified technologies

S. 1492 (Inouye) (as of 10/24/07)	
Presence of Subscribers	For FCC Form 477: By census tract or 5- or 9- digit ZIP -- Actual numbers of broadband connections subscribed to by residential customers
Speed	No specific reporting requirement imposed. --> FCC to identify tiers of broadband service in which a substantial majority of the connections in such tiers provide consumers with an information transfer rate capable of reliably transmitting full-motion, high definition video.
Type of Technology	No specific reporting requirement imposed.

H.R. 3919 (Markey) (as of 11/14/07)	
Presence of Subscribers	For FCC Form 477: By 5-digit ZIP -- Actual number of residential broadband subscribers For NTIA map: By 9-digit ZIP, census tract, or functional equivalent -- List of reporting areas where offer broadband service
Speed	For FCC Form 477: By 5-digit ZIP -- List of ZIP codes where offer service in multiple speed tiers By state -- Actual number of residential subscribers for each speed tier For NTIA map (if broadband provider does not choose to opt out): By 9-digit ZIP, census tract, or functional equivalent -- List of reporting areas where offer service in multiple speed tiers encompassing upload and download bandwidth speeds
Type of Technology	For FCC Form 477: By 5-digit ZIP -- List of ZIP codes where use specified technologies For NTIA map (if broadband provider does not choose to opt out): By 9-digit ZIP, census tract, or functional equivalent -- List of reporting areas where use specified technologies